

1 LYNN HUBBARD, III, SBN 69773  
2 SCOTTLYNN J HUBBARD IV, SBN 212970  
2 **DISABLED ADVOCACY GROUP, APLC**  
3 12 Williamsburg Lane  
3 Chico, CA 95926  
4 Telephone: (530) 895-3252  
4 Fax: (530) 894-8244

5 Attorneys for Plaintiff

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10 UNITED STATES DISTRICT COURT

11 SOUTHERN DISTRICT OF CALIFORNIA

12 LARRY McIVER,

13 Case No. 08cv0132 IEG (WMc)

14 Plaintiff,

15 vs.

16 TARGET CORPORATION dba TARGET      **JOINT MOTION FOR DISMISSAL**  
17 #274; COST PLUS, INC. dba COST PLUS  
18 WORLD MARKET #145; FRIT  
18 ESCRONDIDO PROMENADE, LLC; LA  
19 SALSA, INC. dba LA SALSA #93;  
19 APPLEBEE'S RESTAURANTS WEST, LLC  
20 dba APPLEBEE'S NEIGHBORHOOD BAR  
20 & GRILL #5711; TOYS 'R' US -  
21 DELAWARE, INC. dba TOYS 'R' US #5633;  
21 PARTY CITY CORPORATION dba PARTY  
22 CITY OF ESCRONDIDO #445; INLAND  
22 WESTERN MDS PORTFOLIO, LLC,

23 Defendants.

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PURSUANT TO A SETTLEMENT AGREEMENT AND RELEASE, it is hereby jointly requested, by plaintiff, BARBARA HUBBARD, and defendants, FRIT ESCONDIDO PROMENADE; COST PLUS, INC. dba COST PLUS WORLD MARKET; and, LA SALSA, INC. dba LA SALSA # 93 that this Court enter a dismissal with prejudice of plaintiff's complaint in the above-entitled action pursuant to Fed. R. Civ. P. 41.

The dismissal with prejudice shall dismiss the action in its entirety.

Dated: June 23, 2008

## DISABLED ADVOCACY GROUP, APLC

/s/ Lynn Hubbard III

Lynn Hubbard III  
Attorney for Plaintiff

Dated: June 23, 2008

SCHLICTER & SHONACK, LLP

/s/ Steve Shonack

Steven Shonack  
Attorney for Defendant Frit Escondido  
Promenade

Dated: June 23, 2008

COOPER, WHITE & COOPER

/s/ Merritt Jones

Merritt Jones  
Attorney for Defendant Cost Plus, Inc.

Dated: June 23, 2008

LA SALSA, INC.

/s/ Perry Roshan-Zamir

Perry Roshan-Zamir  
Attorney for Defendant La Salsa, Inc.

## PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF BUTTE

I, Lynn Hubbard III, am employed in the aforesaid County; I am over the age of 18 years and not a party to the within action; my business address is 12 Williamsburg Lane, Chico, Butte County, California 95926.

On June 23, 2008, I caused to be served the document(s) described as: **JOINT  
MOTION FOR DISMISSAL** on the interested parties in this action as follows:

11 On all parties identified for Notice of Electronic Filing generated by the  
12 Court's CM/ECF filing system under the above referenced case number and case  
13 caption on this date in the following manner:

15 The following is a procedure in which service of this document was effected:

- 16 (xx) ELECTRONIC SERVICE - by causing the document to be served via the Court's  
17 ECF Filing System.

18 ( ) PERSONAL SERVICE - by causing to be delivered such document by hand to the  
19 offices of the addressee(s).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATED: June 23, 2008

*/s/ Lynn Hubbard, III*

Lynn Hubbard, III